

CITY OF IDAHO FALLS
BOARD OF ADJUSTMENT
P.O. BOX 50220
IDAHO FALLS ID 83405-0220
(208) 612-8276

September 22, 2011
12:15 p.m.

City Annex Building, Council Chambers
680 Park Avenue

Members Present: Jake Cordova; Hal Latin; Len Stenzel; Kendall Phillips; and James Wyatt.

Members Absent: Stephanie Austad; Alex Creek; Steve Davies; Richard Lee;

Staff Present: Brad Cramer, assistant director; and Debra Petty, recording secretary.

Also Present: The applicant(s) and one interested citizen.

Changes to Agenda: None.

Call to Order: The meeting was called to order at 12:16 p.m. by Chair Phillips.

Minutes: July 14, 2011.

Motion by Phillips, seconded by Cordova, to approve the minutes of July 14, 2011, as presented.

Aye: Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

Nay:

Abstain:

Public Hearings: **Variance Request**
0.16 Acres SE Lot 1 NE 1/4, Section 24, T 2N, R 37
620 W. Broadway

Cramer described the request as outlined in the staff report, a part of the public record. He noted the following in regard to the project:

- The request for a variance is to move a way finding sign 14.5 feet to the east to allow a 400 foot expansion for a takeout restaurant.
- The expansion is to accommodate needed freezer and dry storage for a new tenant.
- As a rule, additional parking is not required for expansion of storage for a restaurant, and this is a take-out facility so the dining area will reduce in size requiring less parking.
- The existing sign is grandfathered, but once moved must comply with current size and height requirements of the sign code.
- The applicant is asking to move the sign without altering its current size and height and is not able to do this without a variance.
- A sign has been at this location since 1964.
- There are a number of signs on Broadway advertising hotels for the purpose of assisting motorists locate lodging.
- Only one of the three criteria must be met by the applicant for approval by the board.
- A recommendation was not provided by staff as this is an off premise sign, if the sign was considered a billboard it could be moved within 75 feet of its current location without a variance.
- The board must find the sign does not negatively impact the environment and aesthetics of the neighborhood and is necessary to identify the premise as staff doesn't want to establish precedence for others who may want a larger sign.

Cramer said the sign is not increasing in size, although the staff report indicates it will. He clarified that if the sign were moved, the maximum size would need to be reduced. In a roundabout way they are asking for increase in sign face and height. They are not asking to change anything in regard to the height and size of the sign, but to move the existing sign.

Chair Phillips opened the hearing to public comment.

Dane Watkins
2242 S. Boulevard
Idaho Falls, ID

Mr. Watkins said he has worked on this project for approximately eighteen (18) months. Over the years it was his goal to make the development reflect the history of old Eagle Rock through the use of Georgetown brick and architecture. The new tenant has different needs than the previous use. Moving the sign will accommodate the expansion of the building without impacting the neighborhood environment. He believes it is an opportunity to strengthen the local economy.

Brent Wilson
4530 S. 5th West
Idaho Falls, ID

Mr. Wilson is local real estate broker for Papa Johns. Food preparation requirements for Papa Johns is greater than the previous tenant, and will require less seating as it is to be take-out and delivery. Peak hours for the use will be evenings and weekends and will not impact parking for the Chamber of Commerce. He believes the sign is necessary at its current size and height.

Dane Watkins told Stenzel he discussed the relocation of the sign with the Red Lion Hotel and they have no objection the request. He believes there will be no interference with underground utilities and the clear sight triangle will be preserved.

Chair Phillips closed the hearing to public comment.

Cordova said staff report was misleading as it indicated there would be a change in the size and height of the sign. He believes the sign has been in existence since 1964 and has no issue with the request to relocate. Wyatt expressed disappointment the addition of storage creates a solid wall of brick that does not take advantage of the views of the river and Greenbelt.

Motion by Stenzel to approve the request for a variance to relocate the existing sign 14.5 feet to the east of its present location for the 400 foot expansion of the building. Friendly amendment by Cordova to include a statement the clear sight triangle will be preserved. Stenzel restated the motion to include preservation of the clear sight triangle and was seconded by Cordova.

Aye: Jake Cordova; Hal Latin; Len Stenzel; Kendal Phillips; and James Wyatt.

Nay:

Abstain:

Business:

Findings of Fact and Conclusions of Law for a Portion of Westfield Plaza, Divisions 1, 2, &3 (1705 W. Broadway).

Motion by Latin, seconded by Stenzel, to approve the Findings of Fact and Conclusions of Law 1705 W. Broadway, as presented.

Aye: Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

Nay:

Abstain:

Findings of Fact and Conclusions of Law for 1.44 Acres SE Corner SE 1/4 Section 13, T 2N, R 37E (575 River Parkway).

Motion by Phillips to approve the Findings of Fact and Conclusions of Law for 575 River Parkway as presented. Friendly amendment by Cordova to modify wording to include a statement that the parking is in an enclosed area and not visible to the public. Seconded by Latin.

Aye: Jake Cordova; Hal Latin; Kendall Phillips; Len Stenzel; and James Wyatt.

Nay:

Abstain:

Miscellaneous:

The next meeting is scheduled for October 27, 2011. EITC (Eastern Idaho Technical College) is requesting a variance for a sign.

Adjourn:

Meeting adjourned at 12:53 p.m.

Debra Petty, Recording Secretary
Board of Adjustment